

**State of New Hampshire  
Office of Licensed Allied Professionals  
Respiratory Care Practitioners Governing Board  
Concord, New Hampshire**

In the Matter of:  
Bruce Tansey, RCP  
License Number: 598  
(Application for Reinstatement)

**ORDER OF CONDITIONAL DENIAL**

This Order concerns the May 2007 application of Mr. Bruce Tansey, RCP ("Mr. Tansey") for reinstatement of his license to practice respiratory care in the State of New Hampshire. Mr. Tansey was originally licensed by the Respiratory Care Practitioners Governing Board ("Board") on October 1, 1997 and allowed his license to lapse on December 31, 1998 when he moved out of state. Mr. Tansey has since returned to the State of New Hampshire and has asked for reinstatement of his license to practice Respiratory Care.

Upon initial review of the application, Mr. Tansey was asked to provide more detailed information in regard to his answer to Question one (1) of the application. His response indicated he had several arrests in the state of Idaho for domestic violence and driving under the influence. The additional material presented to the Board showed court records of the various charges, but failed to show any of the conditions as set by the courts were completed. Additionally Mr. Tansey presented an arrest record for Driving Under the Influence, which occurred shortly before he applied for reinstatement. Again there was no documentation showing the outcome of the charge, or resolution of any sentence arising from the charge.

Under RSA 328-F and RSA 328-E, the Board is charged with ensuring that all Respiratory Care Practitioners provide services that are effective and of a quality consistent with the standard of care under the profession and to safeguard the public against harm which may be caused by unqualified, impaired or unlicensed professionals. Under RSA 328-F:5, I and VII, the Board has a duty to carry out the responsibilities set forth in the Board's practice act and issue reinstated licenses only to persons who are eligible. RSA 328-F:23, II (a) provides that: "Misconduct sufficient to support disciplinary proceedings shall include: (a) Knowingly or negligently providing inaccurate material

information to the board or failing to provide complete and truthful material information upon inquiry by the board, including during the process of applying for a license, license renewal, and license reinstatement; and (b) any criminal conviction in any jurisdiction, excluding traffic violations, or failure to report such conviction within 30 days." Based on the review of the application and the absence of documentation showing completion of court ordered discipline on the charges, in accordance with the above-cited statutes, the Board denies the reinstatement of Mr. Tansey's license to practice in the State of New Hampshire at this time.

THEREFORE IT IS ORDERED that the application of Bruce Tansey, RCP for reinstatement of license to practice be denied effective 12:01 AM September 13, 2007, unless prior to August 20, 2007, the Board receives a written request for a hearing; and

IT IS FURTHERED ORDERED, that receipt of a timely filed hearing request shall temporarily void this Order and a further Order shall be issued in due course in which the Board establishes the date and time of a hearing and specifies the issues to be heard; and:

IT IS FURTHER ORDERED, any hearing held in response to this Order shall be conducted pursuant to RSA 326-E, RSA 328-F and RSA 541-A: 31, and the burden of proof shall be upon the Applicant. The Applicant may request to be heard on any relevant matter of law or fact, but an evidentiary hearing shall be conducted only to the extent the Applicant has identified disputed factual issues which require resolution.

BY ORDER OF THE BOARD\*

DATE: July 23, 2007

  
Tina Kelly  
Administrator

- Board Members:
- Carl Rod, RCP Chair
- Jeffrey Reisert, DO
- Sean Kenneally, RCP
- Robert G. Fishwick, RCP
- Luanne Udell, Public Member